IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 37095 of 2004(N)

PETITIONER:

LAKSHMIKUTTY.M.,
W/O.M.JEEVARAJ, MALLARKANDY HOUSE,
CHALAPARAMBA P.O., CIVIL STATION,
KOZHIKODE-20, RTD. SENIOR GRADE TYPIST,
REGIONAL LABOUR COMMISSIONER, KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, FINANCE (PWC-A) DEPARTMENT, THIRUVANANTHAPURAM.

2. THE ACCOUNTANT GENERAL (A&E), KERALA, THIRUVANANTHAPURAM.

3. THE REGIONAL JOINT LABOUR COMMISSIONER, KOZHIKODE.

BY GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 37095/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PROCEEDINGS OF THE R2 DT. 12/4/2002.

EXT.P2. COPY OF THE GO P NO. 543/89/FIN DATED 20/11/89.

EXT.P3. COPY OF THE REPRESENTATION BY THE PETITIONER TO THE R1 DT. 21/5/02.

EXT.P4. COPY OF THE REMINDER BY THE PETITIONER TO THE R1 DT. 23/1/2004.

EXT.P5. COPY OF THE ORDER NO. 11305/PWC/A2/2004A/FIN DT. 22/11/2004.

EXT.P6. COPY OF THE GO P NO. 2357/99/FIN DT. 25/11/99.

EXT.P7. COPY OF THE JUDGMENT IN WA NO. 3208/2000.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE GO P NO. 3116/98/FIN DT. 15/12/98.

True copy

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KURIAN JOSEPH, J.

W.P.(C) NO. 37095 OF 2004

Dated this the 7th day of December, 2007.

J U D G M E N T

The issue raised in this writ petition regarding counting of provisional service rendered prior to 01.10.1994 is covered in favour of the petitioner by the decision reported in ***Sobhana vs. State of Kerala*** **(2004(3) KLT 131)**. Therefore, the impugned orders are quashed with a direction to the competent respondent to take appropriate action in the case of the petitioner for granting benefits in the light of the decision referred to above. Needful shall be done within a period of one month from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp